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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,979	01/13/2004	Richard John Gann	7267-1	3714

22442 7590 04/06/2006

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EXAMINER

REDMAN, JERRY E

ART UNIT

PAPER NUMBER

3634

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	10/756,979	GANN, RICHARD JOHN	
	Examiner	Art Unit	
	Jerry Redman	3634	

All participants (applicant, applicant's representative, PTO personnel):

(1) Jerry Redman. (3)_____.

(2) Mr. Johnson. (4)_____.

Date of Interview: 29 March 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: Dupuis et al. ('765).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: it appears that the proposed amendments to claim 1 reads over Dupuis et al. and the art of record.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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FACSIMILE COVER SHEET

TIME: DATE: March 23, 2006
Please deliver the following page(s) to: Examiner Redman
Facsimile Number: 571.273.6835
Sender's Name: Brent P. Johnson
Total Number of Pages, including this cover page: 8
Our File No. 7267-1

PROPOSED AMENDMENT AFTER FINAL

Serial No.: 10/756,979
Filed: January 13, 2004
Entitled: SIMULTANEOUSLY OPERATING SELF BALANCED HUNG WINDOW

PLEASE CONFIRM RECEIPT

If you do not receive all the pages, please call Corina K. Aschenbrenner (303) 863-9700

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RESPONSE UNDER 37 C.F.R. § 1.116
--EXPEDITED PROCEDURE -- EXAMINING GROUP 3600**

In Re the Application of:)	Group Art Unit: 3634
)	
GANN)	Examiner: Redman, J.
)	
Serial No.: 10/756,979)	<u>PROPOSED AMENDMENT AFTER</u>
)	<u>FINAL VIA FACSIMILE</u>
Filed: January 13, 2004)	<u>571-273-6835</u>
)	
Atty. File No.: 7267-1)	<u>DO NOT ENTER</u>
)	
For: SIMULTANEOUSLY OPERATING)	
SELF BALANCED HUNG WINDOW)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Applicant submits this Amendment and Response to address the Office Action having a mailing date of January 6, 2006. Although the Applicant believes that no fees are due for filing this Amendment and Response, please charge any fees deemed necessary to Deposit Account No. 19-1970.

Please amend the above-identified patent application as follows:

Application No. 10/756,979

AMENDMENTS TO THE CLAIMS:

1. (Currently Amended) A hung window comprising:

a frame defining an opening, said frame including a pair of spaced vertical frame members, an upper frame member interconnecting upper ends of said vertical frame members, and a lower frame member interconnecting lower ends of said vertical frame members, each said vertical frame member having a pair of vertically extending channels formed thereon, said channels being defined by a pair of exterior frame elements and an intermediate frame element positioned between the pair of exterior frame elements and said intermediate frame element separating said pair of channels;

an upper sash mounted in the frame and slidable in an opposing pair of said channels;

a lower sash mounted in the frame and slidable in another opposing pair of said channels;

a pair of pulleys mounted [in the frame] and within the opening defined by said frame, one pulley of said pair of pulleys being mounted in one channel of said pair of pulleys and the other pulley of said pair of pulleys being mounted in the other channel of said pair of channels, said pulleys being laterally offset from and separated from exterior edges of said sashes;

a cable having a first end connected to the upper sash and a second end connected to the lower sash, said cable being routed over said pair of pulleys wherein lifting said lower sash causes said upper sash to be lowered; and

a locking mechanism for locking said upper sash with respect to said lower sash, said locking mechanism having a first part mounted to said upper sash and a second part mounted to said lower sash, said first part contacting said second part when said locking mechanism is in a locked position.

2. (Original) A window, as claimed in Claim 1, wherein:

a weight of said lower sash is adjusted to balance a weight of said upper sash thereby optimizing an amount of force required to lift the lower sash.

3. (Original) A window, as claimed in Claim 1, wherein:

said lower sash and said upper sash are approximately equal in weight.

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4. (Original) A window, as claimed in Claim 1, wherein:
said pair of pulleys are spaced from one another horizontally within the frame.

5. (Original) A window, as claimed in Claim 1, wherein;
said upper sash includes a lower frame support ;
said lower sash includes a lower frame support; and
said cable attaches to said upper and lower sashes at said respective lower frame supports thereof.

6. (Original) A window, as claimed in Claim 1, wherein;
said cable has means attached at both ends thereof for adjusting a length of the cable spanning between said upper sash and said lower sash.

7. (Previously Presented) A hung window comprising:
a frame defining an opening, said frame including a pair of spaced vertical frame members, an upper frame member interconnecting upper ends of said vertical frame members, and a lower frame member interconnecting lower ends of said vertical frame members, each said vertical frame member having a pair of vertically extending channels formed thereon;
an upper sash mounted in the frame and slidable in an opposing pair of said channels;
a lower sash mounted in the frame and slidable in another opposing pair of said channels;
a cable having a first end connected to said upper sash and having a second end connected to said lower sash; and

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means mounted in said frame and within the opening defined by said frame for enabling simultaneous movement of said upper and lower sashes, wherein lifting said lower sash results in said upper sash being lowered; and

said cable has means attached at both ends thereof for adjusting a length of the cable spanning between said upper sash and said lower sash.

8. (Previously Presented) A hung window comprising:

a frame having a pair of spaced and substantially parallel vertical frame members, and a pair of horizontally extending frame members interconnecting said vertical frame members;

an upper sash mounted in a first channel of the frame and slidable therein;

a lower sash mounted in a second channel of the frame and slidable therein;

a first pair of pulleys mounted in one vertical frame of said pair of vertical frame members;

a second pair of pulleys mounted in the second vertical frame of said pair of vertical frame members;

a first cable having a first end connected to one lateral edge of said upper sash and having a second end connected to an adjacent lateral edge of said lower sash, said first cable being routed over said first pair of pulleys;

a second cable having a first end connected to the opposite lateral edge of said upper sash and having a second end connected to the opposite lateral edge of said lower sash, said second cable being routed over said second pair of pulleys;

wherein lifting said lower sash causes said upper sash to be lowered and said cables remain in tension during movement of said sashes by rotation of said pairs of pulleys; and

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an interlock mechanism for sealing said upper sash with respect to said lower sash, said interlock mechanism being mounted adjacent an upper end of said lower sash and a lower end of said upper sash.

9. (Withdrawn) A method of variably and selectively opening a window comprising the steps of:

providing a window construction including a frame, an upper sash mounted in said frame and slidable therein, a lower sash mounted in said frame and slidable therein, at least one pair of pulleys mounted in said frame, at least one cable having a first end connected to said upper sash and having a second end connected to said lower sash, said cable being routed over said pair of pulleys;

grasping said lower sash; and

exerting a force in an upward direction to lift said lower sash to a height thereby creating a desired opening between said lower sash and a sill of the window, wherein said exerting step simultaneously results in lowering of said upper sash thereby creating an additional opening defined between an upper frame member of said frame and said upper sash.

10. (Withdrawn) A method, as claimed in Claim 9, further including the step of:

selectively balancing the weight of the upper sash with respect to the lower sash thereby optimizing an amount of force necessary to raise the lower sash.

11. (Withdrawn) A method, as claimed in Claim 9, wherein:

said upper sash and said lower sash travel equal distances with respect to one another.

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12. (Withdrawn) A method, as claimed in Claim 9, wherein:
said lower sash travels a further distance than said upper sash.

13. (Withdrawn) A method, as claimed in Claim 9, wherein:
said upper sash travels a further distance than said lower sash.

14. (Cancelled)

15. (Previously Presented) A window, as claimed in Claim 7, wherein:
a weight of said lower sash is adjusted to balance a weight of said upper sash thereby
optimizing an amount of force required to lift the lower sash.

16. (Previously Presented) A window, as claimed in Claim 7, wherein:
said lower sash and said upper sash are approximately equal in weight.

17. (Previously Presented) A window, as claimed in Claim 7, wherein;
said upper sash includes a lower frame support ;
said lower sash includes a lower frame support; and
said cable attaches to said upper and lower sashes at said respective lower frame supports
thereof.

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REMARKS/ARGUMENTS

This Proposed Amendment is sent for purposes of the telephonic interview with
Examiner Redman on March 29, 2006.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: _____

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